

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

LESLIE CARL NELSON,
Plaintiff,

Civil Action No. 7:19-cv-00471

v.

FRANK DYER, III, et al,
Defendant(s),

OPINION

By: James P. Jones
United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By order entered July 18, 2019, the court directed plaintiff to submit within twenty days from the date of the order a consent to withholding of fees form in order to complete an application to proceed in forma pauperis pursuant to 28 U.S.C. §1915(b), which would allow plaintiff to pay the \$350.00 filing fee in installments. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than twenty days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 13th day of August, 2019.

/s/James P. Jones
United States District Judge